



UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE: TERRORIST ATTACKS ON)
SEPTEMBER 11, 2001) Civil Action No. 03 MDL 1570 (RCC)

ORDER OF DISMISSAL

WHEREAS, on January 18, 2005, the Court entered an Order relating to *Ashton v. Al Qaeda Islamic Army*, 02 CV 6977;¹ *Burnett v. Al Baraka Investment & Development*, 03-CV-5738; *Burnett v. Al Baraka Investment & Development*, 03-CV-9849; *Federal Insurance Co. v. Al Qaida*, 03-CV-6978; *Salvo v. Al Qaeda Army*, 03-CV -5071; *Tremsky v. Osama Bin Laden*, 02-CV-7300; and *Vigilant Insurance Co. v. Kingdom of Saudi Arabia*, 03-CV-8591 (together the "First Order Cases"); and

WHEREAS, the Court's January 18, 2005 Order dismissed, among others, the following five defendants named in the First Order Cases on grounds of FSIA immunity, and/or lack of personal jurisdiction, or failure to state a claim in the following cases:

1. Kingdom of Saudi Arabia

Federal Insurance Co. v. Al Qaida, 03 CV 6978
Vigilant Insurance Co. v. Kingdom of Saudi Arabia, 03-CV-8591

2. HRH Prince Sultan bin Abdulaziz Al-Saud

Ashton v. Al Qaeda Islamic Army, 02-CV-6977
Barrera v. Qaeda Islamic Army, 03-CV-7036
Burnett v. Al Baraka Investment & Development Corp., 03-CV-5738
Burnett v. Al Baraka Investment & Development Corp., 03-CV-9849
Federal Insurance Co. v. Al Qaida, 03-CV-6978
Salvo v. Al Qaeda Islamic Army, 03 CV 5071

¹ *Ashton* includes the following complaints which were consolidated by the Court: *Barrera v. Qaeda Islamic Army*, 03-CV-7036; *Bauer v. Al Qaeda Islamic Army*, 02-CV-7236; *Beyer v. Al Qaeda*, 02-CV-6978; *Burlingame v. Osama Bin Laden*, 02-CV-7230; *Mayore Estates, LLC v. Al Qaeda Islamic Army*, 02-CV-7214; *Schneider v. Al Qaeda Islamic Army*, 02-CV-7209.

Tremsky v. Osama Bin Laden, 02 CV 7300

3. HRH Prince Turki Al Faisal

Ashton v. Al Qaeda Islamic Army, 02-CV-6977
Barrera v. Qaeda Islamic Army, 03-CV-7036
Burnett v. Al Baraka Investment & Development Corp., 03-CV-5738
Burnett v. Al Baraka Investment & Development Corp., 03-CV-9849
Federal Insurance Co. v. Al Qaida, 03-CV-6978
Salvo v. Al Qaeda Islamic Army, 03-CV-5071
Tremsky v. Osama Bin Laden, 02-CV-7300

4. HRH Prince Mohamed Al Faisal

Ashton v. Al Qaeda Islamic Army, 02-CV-6977
Federal Insurance Co. v. Al Qaida, 03-CV-6978

5. Al Rajhi Banking & Investment Corporation

Burnett v. Al Baraka Investment & Development Corp., 03-CV-9849

(together the "Defendants") and;

WHEREAS, the Defendants are also named in the following additional actions consolidated before the Court:

1. Kingdom of Saudi Arabia

Cantor Fitzgerald Associates v. Akida Investment Co., 04-CV-7065
Morrison v. Kingdom of Saudi Arabia, 04-CV-7210
New York Marine & General Insurance Co. v. Al Qaida, 04-CV-6105
O'Neill v. Kingdom of Saudi Arabia, 04-CV-1922²
Pacific Employers Insurance Co. v. Kingdom of Saudi Arabia, 04-CV-7216

2. HRH Prince Sultan bin Abdulaziz Al Saud

Cantor Fitzgerald Associates v. Akida Investment Co., 04-CV-7065
Continental Casualty Co. v. Al Qaeda Islamic Army, 04-CV-5970
Euro Brokers, Inc. v. Al Baraka Investment & Development Corp., 04-CV-7279
New York Marine & General Insurance Co. v. Al Qaida, 04-CV-6105
World Trade Center Properties v. Al Baraka Investment & Development Corp.,
04-CV-7280

² *O'Neill* names a number of "Agencies and Instrumentalities of the Kingdom of Saudi Arabia" as defendants. The parties agree that this stipulated order of dismissal extends to these named agencies and instrumentalities.

3. HRH Prince Turki Al Faisal

Cantor Fitzgerald Associates v. Akida Investment Co., 04-CV-7065
Continental Casualty Co. v. Al Qaeda Islamic Army, 04-CV-5970
Euro Brokers, Inc. v. Al Baraka Investment & Development Corp., 04-CV-7279
New York Marine and General Insurance Co. v. Al Qaida, 04-CV-6105
World Trade Center Properties v. Al Baraka Investment & Development Corp.,
04-CV-7280

4. HRH Prince Mohamed Al Faisal

Burnett v. Al Baraka Investment & Development Corp., 03-CV-9849
Cantor Fitzgerald Associates v. Akida Investment Co., 04-CV-7065
Continental Casualty Co. v. Al Qaeda Islamic Army, 04-CV-5970
Euro Brokers, Inc. v. Al Baraka Investment & Development Corp., 04-CV-7279
O'Neill v. Al Baraka Investment & Development Corp., 04-CV-1923
Salvo v. Al Qaeda Islamic Army, 03-CV-5071
Tremsky v. Osama Bin Laden, 02-CV-7300
World Trade Center Properties v. Al Baraka Investment & Development Corp.,
04-CV-7280

5. Al Rajhi Banking & Investment Corporation

Ashton v. Al Qaeda Islamic Army, 02-CV-6977
Burnett v. Al Baraka Investment & Development Corp., 03-CV-5738
Cantor Fitzgerald Associates v. Akida Investment Co., 04-CV-7065
Continental Casualty Co. v. Al Qaeda Islamic Army, 04-CV-5970
Euro Brokers, Inc. v. Al Baraka Investment & Development Corp., 04-CV-7279
Federal Insurance Co. v. Al Qaida, 03-CV-6978
New York Marine & General Insurance Co. v. Al Qaida, 04-CV-6105
O'Neill v. Al Baraka Investment & Development Corp., 04-CV-1923
Salvo v. Al Qaeda Islamic Army, 03-CV-5071
Tremsky v. Osama Bin Laden, 02-CV-7300
World Trade Center Properties v. Al Baraka Investment & Development Corp.,
04-CV-7280

and;

the parties agree and

WHEREAS, the Court finds that the allegations and evidence presented against these Defendants in the cases still pending against them do not materially differ from the allegations and evidence presented in the cases already dismissed; it is therefore

ORDERED this 5th day of May, 2005 that, for the reasons stated in the Court's January 18, 2005 Order, the Kingdom of Saudi Arabia, HRH Prince Sultan

bin Abdulaziz Al-Saud, HRH Prince Turki Al-Faisal, HRH Prince Mohamed Al-Faisal, and Al Rajhi Banking & Investment Corporation are **DISMISSED** from all remaining cases consolidated before this Court under docket number 03 MDL 1570.

A handwritten signature in black ink, appearing to read "Richard C. Casey", is written over a horizontal line.

Richard C. Casey
United States District Judge

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